

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 359

Introduced by Dw. Pedersen, 39

Read first time January 13, 1999

Committee: Transportation

A BILL

1 FOR AN ACT relating to telecommunications; to amend sections
2 86-1302 to 86-1304, 86-1306, and 86-1307, Revised
3 Statutes Supplement, 1998; to change eligibility criteria
4 for specialized telecommunications equipment; to define
5 terms; to harmonize provisions; and to repeal the
6 original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 86-1302, Revised Statutes Supplement,
2 1998, is amended to read:

3 86-1302. The purpose of the Telecommunications Relay
4 System Act is to provide a statewide telecommunications relay
5 system and a statewide voucher program for the provision of
6 specialized telecommunications equipment for qualified ~~low-income~~
7 ~~hearing-impaired~~ deaf, hard of hearing, or speech-impaired persons
8 in Nebraska which enables them to communicate twenty-four hours per
9 day, seven days per week, with other persons who use conventional
10 telephone systems.

11 Sec. 2. Section 86-1303, Revised Statutes Supplement,
12 1998, is amended to read:

13 86-1303. For purposes of the Telecommunications Relay
14 System Act:

15 (1) Commission shall mean the Public Service Commission;

16 (2) Deaf shall have the same meaning as in section
17 71-4720.01;

18 (3) Fund shall mean the Nebraska Telecommunications Relay
19 System Fund;

20 ~~(3)~~ (4) Hard of hearing shall have the same meaning as in
21 section 71-4720.01;

22 (5) Household shall mean a family unit whose members are
23 related by birth, marriage, or adoption and who share a common
24 living arrangement;

25 ~~(4)~~ (6) Personal telephone service shall mean telephone
26 service located in an individual's room and the telephone service
27 account is in the individual's name;

28 ~~(5)~~ (7) Specialized telecommunications equipment shall

1 mean any telecommunications device enabling ~~hearing-impaired deaf,~~
2 hard of hearing, or speech-impaired persons to communicate using
3 conventional telephone systems. Specialized telecommunications
4 equipment shall include, but not be limited to, telecommunications
5 devices for the deaf, signaling devices, and ~~electronic artificial~~
6 ~~larynx~~ amplification devices; and

7 ~~(6)~~ (8) Telecommunications relay system shall mean a
8 service permitting full and simultaneous communication between
9 ~~hearing-impaired deaf,~~ hard of hearing, or speech-impaired persons
10 using specialized telecommunications equipment and other persons
11 using conventional telephone equipment.

12 Sec. 3. Section 86-1304, Revised Statutes Supplement,
13 1998, is amended to read:

14 86-1304. There is hereby created the Nebraska
15 Telecommunications Relay System Fund. The fund shall be used to
16 provide a statewide telecommunications relay system and to
17 administer a statewide voucher program to provide specialized
18 telecommunications equipment to qualified ~~low-income~~
19 ~~hearing-impaired deaf,~~ hard of hearing, and speech-impaired persons
20 in Nebraska.

21 Based upon ~~the income levels of the eligible recipients~~
22 ~~and~~ the price of the equipment, vouchers shall be issued by the
23 program administrator to pay private vendors for all or part of the
24 cost of the equipment. After purchase, the recipient is the owner
25 of the equipment and responsible for enforcement of any warranties
26 and repairs.

27 Any money in the fund available for investment shall be
28 invested by the state investment officer pursuant to the Nebraska

1 Capital Expansion Act and the Nebraska State Funds Investment Act.

2 Sec. 4. Section 86-1306, Revised Statutes Supplement,
3 1998, is amended to read:

4 86-1306. (1) The commission shall establish standards,
5 procedures, and training specifications for the telecommunications
6 relay system and shall supervise its operation. The system shall
7 assure prompt and accurate relay of all messages seven days per
8 week, twenty-four hours per day, including holidays, and shall
9 provide at least the following services to all ~~hearing-impaired~~
10 deaf, hard of hearing, or speech-impaired persons living in
11 Nebraska who possess specialized telecommunications equipment: (a)
12 Statewide in-state calls with charges for long-distance calls
13 billed to the person making the call in a manner which the
14 commission determines will recover the cost of long-distance calls
15 to the system; (b) out-of-state calls with charges billed to the
16 person making the call; and (c) emergency calls. Any person using
17 the system shall not be charged for access to the system other than
18 charges billed for in-state and out-of-state long-distance service.

19 (2) The commission shall establish standards and criteria
20 and shall determine the eligibility of qualified ~~low-income~~
21 ~~hearing-impaired~~ deaf, hard of hearing, and speech-impaired persons
22 applying for specialized telecommunications equipment, which
23 include the following: (a) Only one person per household may be a
24 recipient of the telecommunications equipment; (b) an applicant
25 shall reside in a household that has telephone service; (c) a
26 recipient of equipment may not reapply for assistance more than
27 once every five years; and (d) a nursing home or institution
28 resident is eligible for specialized telecommunications equipment

1 only if he or she has personal telephone service. ~~+ and (e) the~~
2 ~~eligibility of applicants shall be based upon income levels not in~~
3 ~~excess of the poverty level as established by the federal Office of~~
4 ~~Management and Budget.~~ Applications may be approved if they meet
5 the guidelines established by the commission. The commission shall
6 adopt and promulgate rules and regulations necessary for
7 implementation of the Telecommunications Relay System Act and
8 guidelines for the specialized telecommunications equipment
9 program. The commission may enter into contracts with other
10 agencies or private organizations, which may include the Commission
11 for the Deaf and Hard of Hearing, to operate the telecommunications
12 relay system and the specialized telecommunications equipment
13 program.

14 Sec. 5. Section 86-1307, Revised Statutes Supplement,
15 1998, is amended to read:

16 86-1307. The commission shall administer the
17 Telecommunications Relay System Act with the advice of a special
18 committee appointed by the Commission for the Deaf and Hard of
19 Hearing. The special committee shall consist of seven members as
20 follows: ~~Two members shall be hearing-impaired persons, one of~~
21 ~~whom is deaf~~ One member shall be a deaf person; one member shall be
22 a deaf or hard of hearing person; one member shall be a
23 speech-impaired person; one member shall represent the Public
24 Service Commission; one member shall represent the telephone
25 industry; one member shall represent the Commission for the Deaf
26 and Hard of Hearing; and one member shall represent the public.

27 Sec. 6. Original sections 86-1302 to 86-1304, 86-1306,
28 and 86-1307, Revised Statutes Supplement, 1998, are repealed.